



Our Case No. 12024-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
Brian SUN	)	
Serial No.: 10/549,783	)	Examiner: Robert J. SCRUGGS
Filing Date: September 17, 2005	)	Group Art Unit No.: 3723
For: CORKSCREW	)	

**DECLARATION UNDER 37 C.F.R. §1.131**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I am Brian Sun, the named inventor of the above referenced patent application. I hereby declare the following:

(1) I am the inventor of the above referenced patent application filed on March 14, 2004, the application being assigned a filing date of September 17, 2005 under 35 U.S.C. § 371. I am also the inventor of the priority application, serial number GB 0306239.5, filed March 19, 2003.

(2) I am aware of German patent publication DE 20219538 to Warbeg ("Warbeg") that was cited against the claims of the present United States application.

(3) The first priority date of Warbeg is December 16, 2002.

(4) I had possession of the invention recited in the claims of the above referenced patent application at least as early as May 20, 2002, which is before December 16, 2002.

(5) In support of my declaration of possession of the invention before December 16, 2002, I hereby present a reproduction of a portion of correspondence (a facsimile transmission), dated July 5, 2002, between Technical Development (HK) Limited, my employer and assignee of the above referenced application, and Ms. Emily Yip, an independent patent agent.

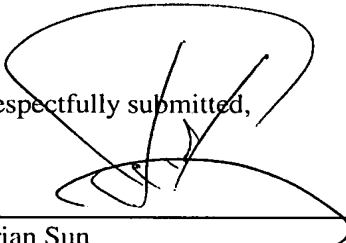
(6) The drawings contained in said correspondence that illustrate invention claimed in the above referenced patent application. For example, the drawing entitled "A-A" and dated "2002.05.20" corresponds to FIG 1B of the above referenced patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- 7 SEP 2007

\_\_\_\_\_  
Date

Respectfully submitted,

  
\_\_\_\_\_  
Brian Sun

# TECHNICAL DEVELOPMENT (HK) LTD.

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To : Emily Yip & Co.  
Room 2510 Hopewell Centre,  
183 Queen's Road East,  
Hong Kong.

Attn : Emily Yip

Tel : 2340-0040

From : Flores

Date : July 5, 2002

## RE: Corklifter

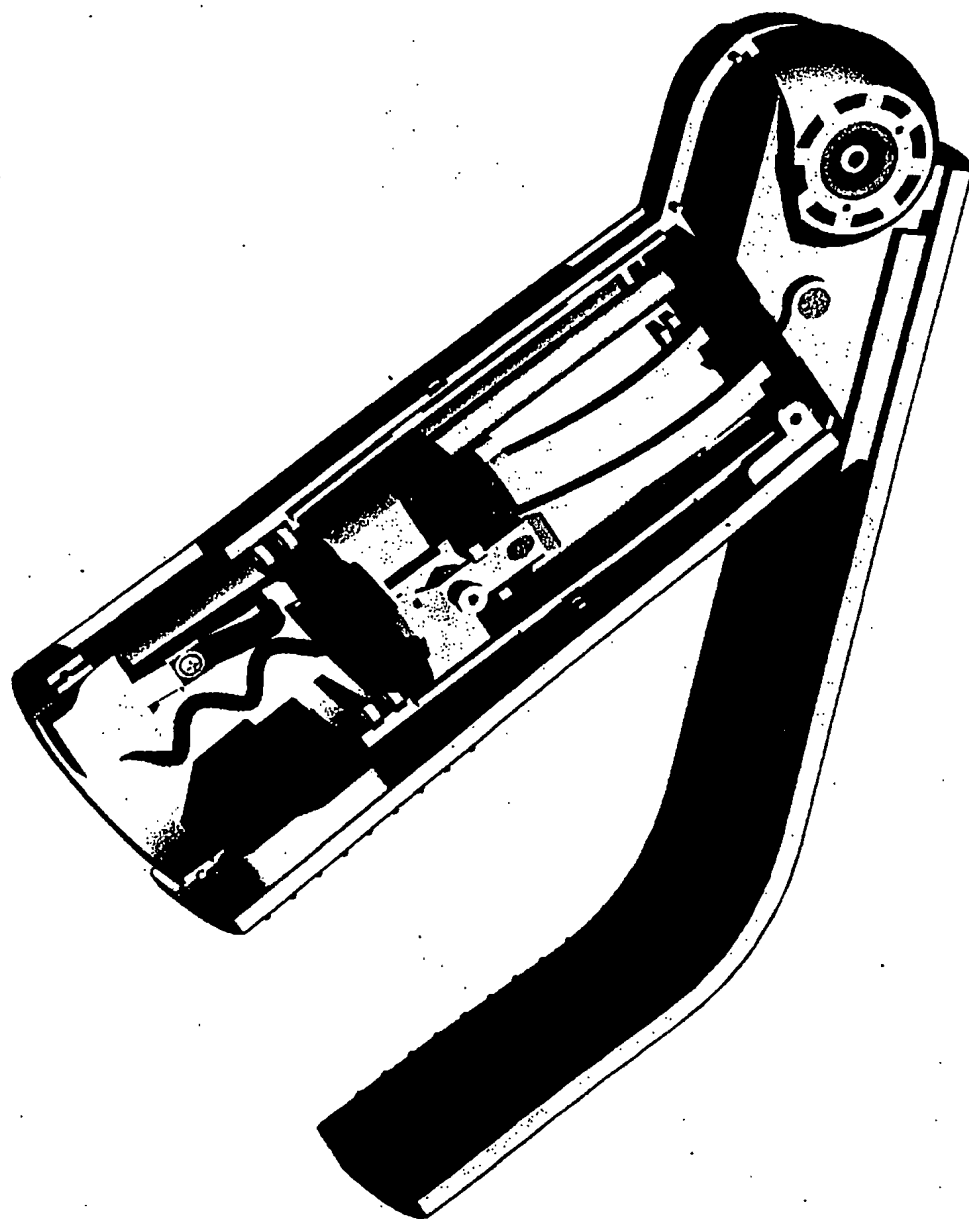
Dear Emily,

Enclosed please find:

- 1) 6pgs of technical information for the Corklifter
- 2) 1pc sample of the Corklifter

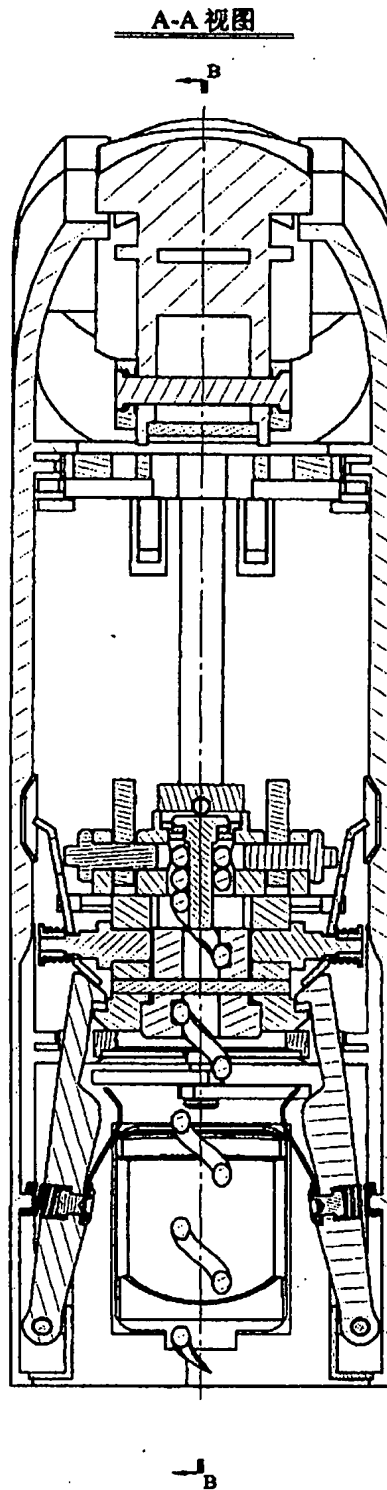
Thanks & Best Regards,  
Soviena (pp. Flores)

P. 16



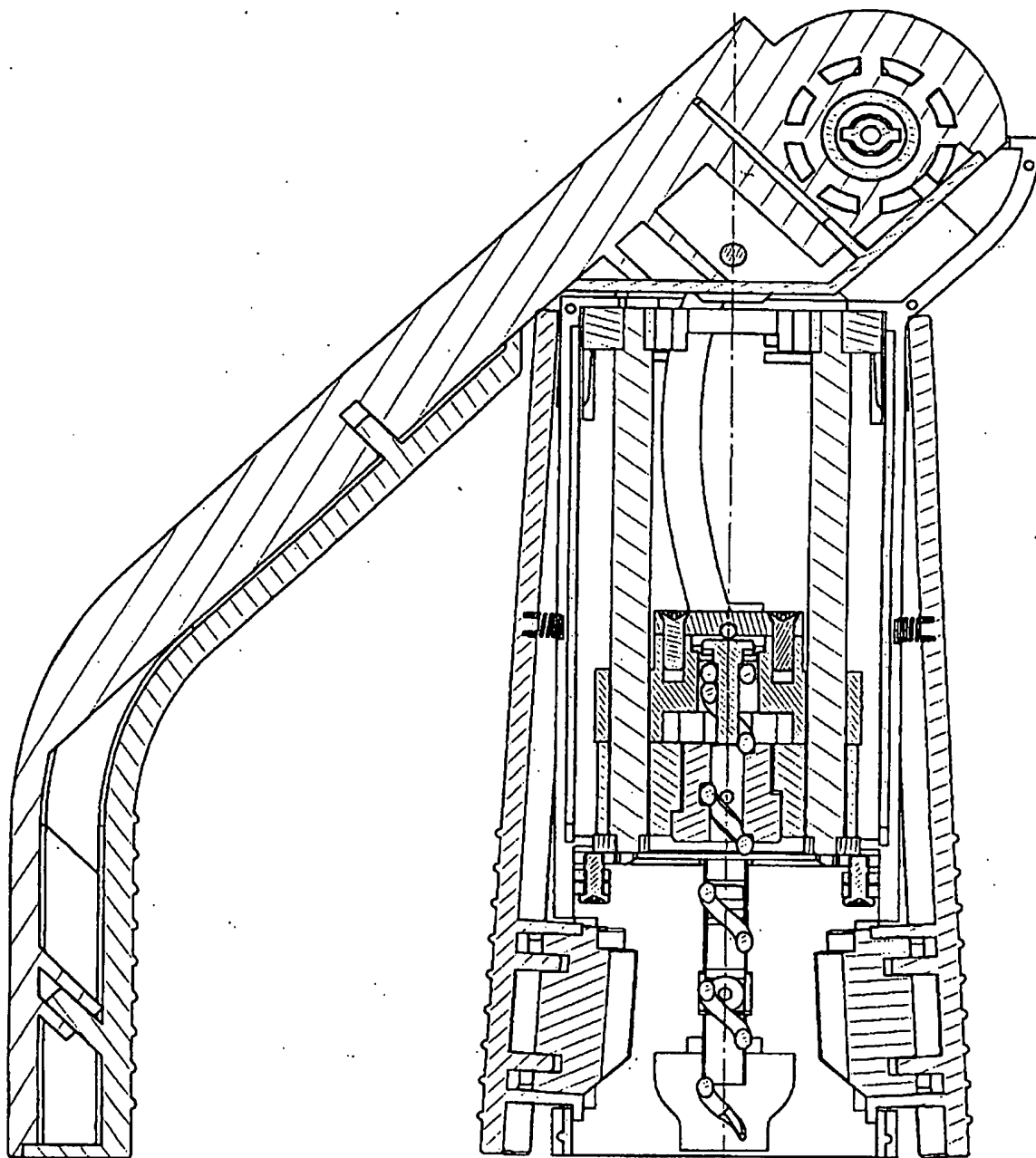
筒形开瓶器3D结构示意图



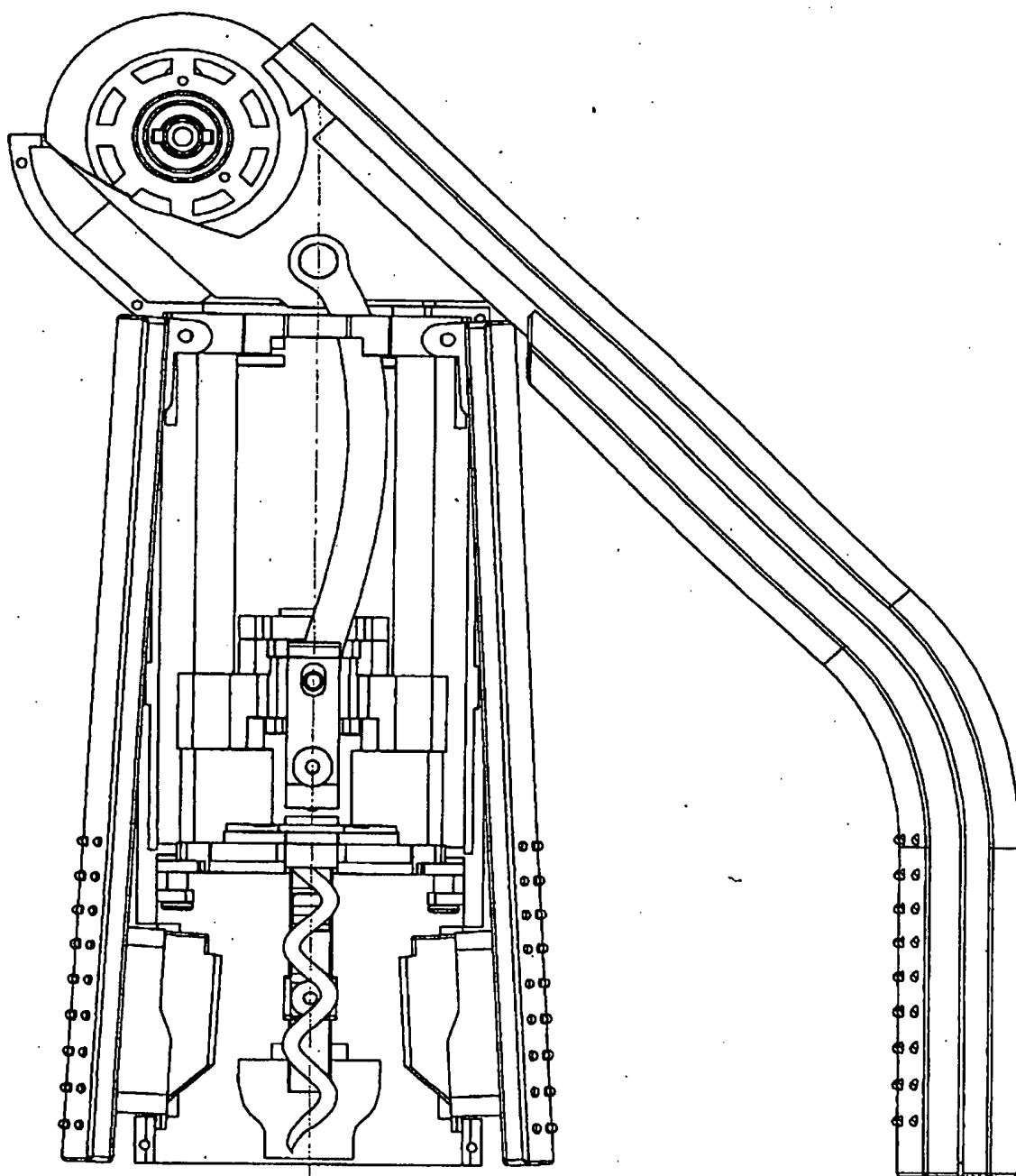


设计			比例	1:1	筒形开瓶器 结构示意图 LEFT SECTION (Close)	编号		页数	
制图	彭振锐	2002.05.20	数量			图号	336PE121	图纸	A4
审核	<i>[Signature]</i>		单位	mm		材料	/	志峰五金塑胶厂	

B-B 视图



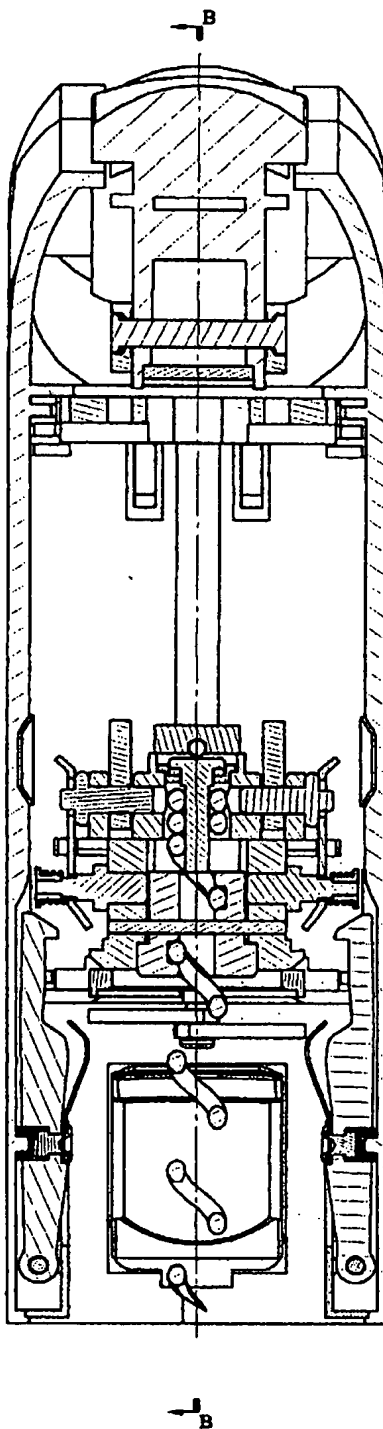
设计			比例	1:1	筒形开瓶器 结构示意图 FRONT SECTION	编号		页数	
制图	彭振悦	2002.05.20	数量			图号	336PE131	图纸	A4
审核	李		单位	mm	材料	志峰五金塑胶厂			



设计			比例	1:1	筒形开瓶器 结构示意图		编号		页数	
制图	彭振锐	2002.05.20	数量				图号	336PE141	图纸	A4
审核	ZK		单位	mm	材料	/	志峰五金塑胶厂			



A-A 视图



设计			比例	1:1	筒形开瓶器 结构示意图 LEFT SECTION (Open)	编号		页数	
制图	彭振锐	2002.07.03	数量			图号	336PE151	图纸	A4
审核	<i>[Signature]</i>	3/7/2002	单位	mm	材料	志峰五金塑胶厂			

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Brian SUN	)	
Serial No.: 10/549,783	)	Examiner: Robert J. SCRUGGS
Filing Date: September 17, 2005	)	Group Art Unit No.: 3723
For: CORKSCREW	)	
	)	
	)	

**DECLARATION OF EMILY YIP**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I am Emily Yip, the independent patent agent named in a certain declaration under 37 C.F.R. §1.131 by Brian Sun in reference to the above-captioned patent application. I hereby declare the following:

(1) I have read the Declaration under 37 C.F.R. §1.131 by Brian Sun in reference to the above-captioned patent application.

(2) I received in my office in Hong Kong on July 5, 2002 the portion of correspondence referred to in point (5) of that Declaration.

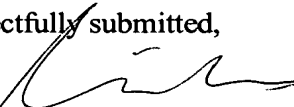
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

10 SEP 2007

Date

Respectfully submitted,

  
Emily Yip